

EX PARTE QUAYLE AMENDMENT
U.S. Application No. 09/599,440
Attorney Docket No. Q59177

REMARKS

Claims 9-12, 17-23 and 48-57 are allowed. Claims 24-47 are canceled without prejudice or disclaimer.

In the Office Action, the Examiner proposes amendments to claims 19-21 and 52-57, which the Examiner indicates are for purposes of improving grammar and do not affect the scope of the claimed invention (Office Action: page 2). It is respectfully submitted, however, that the Examiner's proposed amendments to claims 54 and 55, wherein it is suggested that the term "peripheral" be inserted before the term "area" (in line 12), should not be required, as these amendments would alter the scope of the claimed invention. In particular, in claims 54 and 55, the recess is not formed in the peripheral area, as the Examiner's proposed amendments would suggest. Instead, the recess is formed in another area (*i.e.*, where the pressurizing chambers are formed in the pressurizing chamber substrate).

Additionally, the Examiner's proposed amendments to claims 52 and 57, wherein it is suggested that the term "that" be inserted after the term "area" (in line 16), should not be required, as these amendments would alter the scope of the claimed invention. In particular, in claims 52 and 57, "the recess that does not include the peripheral area" (as recited) is what is separated from the substrate. The Examiner's proposed amendments would suggest otherwise.

The Examiner's other proposed amendments to claims 19-21 and 52-57 are adopted.

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In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned attorney at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,



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